

OVERSIGHT COMMITTEE
AUBURN SUCCESSOR AGENCY (Former Auburn Urban Development Authority)

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN THAT THE OVERSIGHT COMMITTEE FOR THE AUBURN
SUCCESSOR AGENCY WILL HOLD A MEETING

TIME 5:15 P. M., WEDNESDAY, AUGUST 29, 2012

ROOM 10
AUBURN CITY HALL
1225 LINCOLN WAY, AUBURN, CALIFORNIA

For information contact the Auburn City Clerk Telephone: (530) 823-4211, Ext. 112 – Fax:
(530) 885-5508

The Oversight Committee welcomes you to its meeting. Your interest is encouraged and appreciated. Room 10 is wheelchair accessible and listening devices are available. Other special accommodations may be requested to the City Clerk 72 hours in advance of the meeting. Action may be taken on any agenda item. Please turn off all cell phones or similar devices. Staff reports and background information related to regular agenda items are available at City of Auburn City Hall, 1225 Lincoln Way, Auburn, CA 95603. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 1225 Lincoln Way, Room 8, Auburn, CA 95603, during normal business hours.

AGENDA

A. CALL TO ORDER: (City Clerk)

PLEDGE OF ALLEGIANCE

ROLL CALL

B. AGENDA APPROVAL

The Oversight Committee reserves the right to hear items in a different order in order to accomplish business in the most efficient manner

C. APPROVAL OF MINUTES

1. Approval of Draft Minutes from Special Meeting of Oversight Board meeting of May 2, 2012

Recommendation: Approval of Minutes from the Special Meeting of the Oversight Committee for the Auburn Successor Agency of May 2, 2012.

- D. PUBLIC COMMENT** - There is a time limitation of three minutes per person. For any items that are not on the agenda and within the jurisdiction or interest of the City, please come to the podium at this time. If you wish to speak regarding a scheduled agenda item, please come to the podium when the item number and subject matter are announced. When recognized, please begin by providing your name and address for the record (optional). Anyone wishing to submit written information at the meeting needs to furnish ten (10) copies to the City Clerk in advance to allow for distribution to City Council, staff and the media.

E. ADMINISTRATIVE

2. Approval of Recognized Obligation Payment Schedule (ROPS III) for the period January 1, 2013 through June 30, 2013

Recommendation: Approve by **RESOLUTION** the Recognized Obligation Payment Schedule (ROPS III) for the Auburn Successor Agency for the period January 1, 2013 through June 30, 2013 pursuant to Health and Safety Code section 34177 and authorize filling of the ROPS with the State Department of Finance, Placer County Auditor and posting on the City of Auburn web site.

3. Set next meeting date and time

F. ADJOURN

**Oversight Committee
Auburn Successor Agency (former AUDA)
May 2, 2012
REGULAR MEETING**

CALL TO ORDER

Chair Keith Nesbitt called the meeting to order at 5:15 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Committee Members Present: Andy Heath, Jennifer Montgomery, Curt Smith, Ron Martinez, Randy Swisley, Keith Nesbitt

Committee Members Absent: Jerry Johnson

Staff Members Present: Deputy City Clerk Amy Lind

AGENDA APPROVAL

The agenda was approved as presented by consensus of the Committee.

Approval of Minutes

By MOTION, approve the minutes of 4/10/2012.

MOTION: Montgomery/Heath/ Unanimously approved.

Public Comment:

None.

Administrative:

Approval of Revised Recognized Obligation Payment Schedule (ROPS)

Andy Heath presented this item. He said the revised schedule adds 6 more months (July-Dec) and has been updated to include actual obligation payments made from Jan -mid April 2012. He spoke about the letter he received from the State Department of Finance regarding disapproval of the ROPS on the grounds that some were not dated before 6/27/2011. He said this was a misunderstanding on the states part and he is actively working with them to get this corrected.

By **RESOLUTION 12-02**, approve the Successor Agency's Revised Initial Recognized Obligation Payment Schedule (covering January 1, 2012 through June 30, 2012) and Approve the next Recognized Obligation Payment Schedule (covering July 1, 2012 through December 21, 2012) pursuant to Health and Safety Code Section 34177 (1).

MOTION: Montgomery/ Smith/ Approved 6:0 (Johnson absent)

Next meeting will be set as needed.

Chair Keith Nesbitt adjourned the meeting at 5:35 p.m.

Minutes submitted by:

Amy M. Lind, Deputy City Clerk



Report to the Oversight Committee

Action Item
Agenda Item No. **E-2**

[Signature]
City Manager's Approval

To: Honorable Members of the Oversight Committee for the Successor Agency to the Dissolved Auburn Urban Development Authority

From: Robert Richardson, City Manager
Andy Heath, Administrative Services Director

Date: August 29, 2012

Subject: Consideration of approving the Successor Agency's Recognized Obligation Payment Schedule (ROPS III) for the period January 1, 2013 through June 30, 2013 pursuant to Health and Safety Code section 34177

The Issue

Shall the Oversight Committee approve the Successor Agency's Recognized Obligation Payment Schedule (ROPS III) pursuant to Health and Safety Code section 34177?

Action Requested

It is recommended that the Oversight Committee, approve by **RESOLUTION** the Recognized Obligation Payment Schedule (ROPS III) for the period January 1, 2013 through June 30, 2013 pursuant to Health and Safety Code section 34177.

Background

Pursuant to AB X1 26, successor agencies to the former redevelopment agencies are required to adopt by resolution a ROPS that covers the payment obligations of the former redevelopment agency for a six month period. The City Council, sitting as the Successor Agency to the former Redevelopment Agency, has taken action to approve the initial two ROPS(s) covering the periods January 1, 2012 through June 30, 2012 and July 1, 2012 through December 31, 2012, respectively. The Oversight Board has also taken action to approve the ROPS for the two prior time periods.

On June 27, 2012, the State Legislature passed and the Governor signed AB 1484, making substantive amendments to the Dissolution Act (AB 1X 26). AB 1484 took immediate effect upon signature of the Governor. Among various complex rules and mandates of the Dissolution Act, AB 1484 establishes new deadlines for completion of ROPS. AB 1484 also set significant financial penalties to the hosted jurisdiction (the City) of the Successor Agency if the deadlines are not met. AB 1484 requires that the

third ROPS must be approved and sent to the State's Department of Finance by no later than September 1, 2012.

On August 13, 2012, the Successor Agency adopted a resolution approving the third ROPS for the period of January 1, 2013 to June 30, 2013. The approved ROPS, which includes an administrative component, is contained herein for subsequent approval by the Oversight Committee.

Exhibit A to the attached Resolution (Attachment 1) illustrates the third ROPS that has been prepared by the City's Administrative Services Department and subsequently approved by the Successor Agency (City). The third ROPS reflects those obligation anticipated to be paid during the reporting period – specifically semi-annual debt service on the outstanding Tax Allocation Bonds and an administrative component, which includes limited funding for the Successor Agency to carry out the dissolution of the former Redevelopment Agency.

Fiscal Impact

Approving the January 1, 2013 through June 30, 2013 ROPS, including the administrative component, will ensure the financial obligations of the former Redevelopment Agency are met for the second half of the 2012-2013 fiscal year.

Attachment: 1. Resolution
Exhibit A – ROPS III (January 2013 – June 2013)

RESOLUTION NO. _____

A RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE DISSOLVED AUBURN URBAN DEVELOPMENT AUTHORITY, APPROVING THE SUCCESSOR AGENCY'S RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2013 TO JUNE 30, 2013 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Auburn ("Successor Agency") elected to become the successor agency to the Auburn Urban Development Authority by Resolution No.12-03 on January 9, 2012; and

WHEREAS, Health and Safety Code Section 34179(e) requires all actions taken by the oversight board shall be adopted by resolution; and

WHEREAS, Health and Safety Code Section 34177(m)(1) requires that the successor agency complete the Recognized Obligation Payment Schedule in the manner provided by the Department of Finance; and

WHEREAS, Health and Safety Code Section 34177(m) requires the Successor Agency to submit the ROPS to the Successor Agency's oversight board for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS ("Approved ROPS") to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS on the Successor Agency's website no fewer than 90 days before the date of the property tax distribution; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO THE AUBURN URBAN DEVELOPMENT AUTHORITY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the ROPS through this Resolution does not commit the Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Approval of Initial ROPS. The Oversight Board hereby approves the initial ROPS, in substantially the form attached to this Resolution as Exhibit A, as required by Health and Safety Code Section 34177.

Section 4. Transmittal of the ROPS. The City Manager for the City of Auburn as Successor Agency is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the Approved ROPS, including submitting the approved ROPS to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and posting the Approved ROPS on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 29th day of August, 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

ATTEST:

City Clerk

RESOLUTION NO. 12-90

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AUBURN,
SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED
AUBURN URBAN DEVELOPMENT AUTHORITY, APPROVING AND
ADOPTING AN UPDATE OF THE RECOGNIZED OBLIGATION
PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE
SECTION 34177**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Auburn ("Successor Agency") elected to become the successor agency to the Auburn Urban Development Authority by Resolution No.12-03 on January 9, 2012; and

WHEREAS, Health and Safety Code Section 34183, as modified by the Supreme Court decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, requires the Successor Agency to prepare updated recognized obligation payment schedules ("ROPS") for each six month fiscal period beginning January 1 and July 1 each year; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the updated ROPS to an external auditor, either the Placer County Auditor-Controller or its designee, for the auditor's review and certification as to its accuracy; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS certified by the external auditor ("Certified ROPS") to the Successor Agency's oversight board for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS ("Approved ROPS") to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS on the Successor Agency's website; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN,
SERVING AS THE SUCCESSOR AGENCY TO THE AUBURN URBAN
DEVELOPMENT AUTHORITY, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the updated ROPS through this Resolution does not commit the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

Section 3. Approval of Updated ROPS. The Successor Agency hereby approves and adopts the updated ROPS, in substantially the form attached to this Resolution as Exhibit A, as required by Health and Safety Code Section 34177.

Section 4. Transmittal of Updated ROPS. The City Manager is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law regarding the updated ROPS, including submitting the updated ROPS to the Placer County Auditor-Controller, or its designee, the submission of the Certified ROPS to the Successor Agency's oversight board, upon the oversight board's formation, the submission of the Approved ROPS to the Placer County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and posting the Approved ROPS on the Successor Agency's website.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.


PASSED, APPROVED AND ADOPTED at a regular meeting of the City of Auburn, serving as the successor agency to the Auburn Urban Development Authority, on the 13th day of August, 2012, by the following vote:

AYES: Nesbit, Holmes, Kirby, Powers, Hanley

NOES:

ABSTAIN:

ABSENT:



Kevin Hanley, Mayor

ATTEST:



Joseph G.R. Labrie, City Clerk

EXHIBIT A

UPDATED RECOGNIZED OBLIGATION PAYMENT SCHEDULE

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Filed for the January 1, 2013 to June 30, 2013 Period

Name of Successor Agency: City of Auburn

	Total Outstanding Debt or Obligation
Outstanding Debt or Obligation	\$ 8,830,800
Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	-
B Enforceable Obligations Funded with RPTTF	252,171
C Administrative Allowance Funded with RPTTF	-
D Total RPTTF Funded (B + C = D)	252,171
Total Current Period Outstanding Debt or Obligation (A + B + C = E) Should be same amount as ROPS form six-month total	252,171
E Enter Total Six-Month Anticipated RPTTF Funding	
F Variance (D - E = F) Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding	\$ (252,171)
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (a))	
G Enter Estimated Obligations Funded by RPTTF (Should be the same amount as RPTTF approved by Finance, including admin allowance)	633,156
H Enter Actual Obligations Paid with RPTTF	591,960
I Enter Actual Administrative Expenses Paid with RPTTF	
J Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	41,196
K Adjustment to RPTTF	210,975

Certification of Oversight Board Chairman:
Pursuant to Section 34177(m) of the Health and Safety code,
I hereby certify that the above is a true and accurate Recognized
Obligation Payment Schedule for the above named agency.

Keith Nesbitt
Name

Chairman - Oversight Board
Title

Signature

Date

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III)

January 1, 2013 through June 30, 2013

January 1, 2013 through June 30, 2013														
Item #	Project Name / Debt Obligation	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation ..	Total Due During Fiscal Year 2012-13	Funding Source					
									LMIHF	Bond Proceeds	Reserve Balance	Admin Allowance	RPTTE	Other
Grand Total														
1	2008 Tax Allocation Bonds	10/1/2008	10/1/2037	Wells Fargo Bank	Bond issue to fund non-housing projects	Aub Red Proj	8,830,800	\$ 424,343	\$ -	\$ -	\$ -	\$ -	\$ 252,171	\$ 207,671
2	Employee Costs - Administration	7/1/2012	6/30/2013	Successor Agent EEs	Budgeted costs for HOA Employee Administration	Aub Red Proj	85,000.00	85,000.00					42,500	42,500
3	Other Administrative Costs	7/1/2012	6/30/2012	City	Regway City for other administrative costs	Aub Red Proj	4,000.00	4,000.00					2,000	2,000
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City of Auburn
Placer

January 1, 2013 through June 30, 2013

Pursuant to Health and Safety Code section 34186 (a)

January 1, 2012 through June 30, 2012																			
Page/Form	Line	Project Name / Debt Obligation	Payee	Description/Project Scope	Project Area	LMHF		Bond Proceeds		Reserve Balance		Admin Allowance		RPTTF		Other			
						Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual	Estimate	Actual				
		Grand Total				\$	-	\$	-	\$	-	\$	114,903	\$	518,253	\$	480,986	\$	-
Page 1	1	2008 Tax Allocation Bonds	Wells Fargo Bank	Bond issue to fund non-housing projects	Aub Red Proj										209,171		209,171		
Page 1	2	Streetscape - Constr. Contract	Foothill & Associates	Design / Review / Construction Mgmt	Aub Red Proj										47,896		17,738		
Page 1	3	Streetscape - Constr. Contract	Hinsan Bros	Construction	Aub Red Proj										235,759		237,333		
Page 1	5	Streetscape - Employee Costs	Employees of Agency	Payroll for Employees - Project	Aub Red Proj										8,619		9,746		
Page 1	6	Old City Hall - Constr. Contract	Gabe Mendez	Construction	Aub Red Proj										14,991		14,991		
Page 1	10	Old City Hall - Employee Costs	Employees of Agency	Construction	Aub Red Proj										2,017		2,017		
Page 3	1	Employee Costs - Administration	Employees of Agency	Payroll for Employees - Administration	Aub Red Proj								101,916						
Page 3	2	Other Admin Costs	City	Repay City for other admin costs	Aub Red Proj								12,987						

Successor Agency Contact Information

Name of Successor Agency:	<u>City of Auburn</u>
County:	<u>Placer</u>
Primary Contact Name:	<u>Andrew Heath</u>
Primary Contact Title:	<u>Administrative Services Director</u>
Address	<u>1225 Lincoln Way Rm 1, Auburn 95603</u>
Contact Phone Number:	<u>530-823-4211 x110</u>
Contact E-Mail Address:	<u>ah Heath@auburn.ca.gov</u>
Secondary Contact Name:	<u>Robert Richardson</u>
Secondary Contact Title:	<u>City Manager</u>
Secondary Contact Phone Number:	<u>530-823-4211 x192</u>
Secondary Contact E-Mail Address:	<u>r Richardson@auburn.ca.gov</u>